

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Amendment of Part 2 of the Commission's)	
Rules to Allocate Spectrum Below 3 GHz for)	ET Docket No. 00-258
Mobile and Fixed Services to Support the)	
Introduction of New Advanced Wireless)	
Services, including Third Generation)	
Wireless Systems)	

REPLY COMMENTS OF COMSEARCH

Comsearch respectfully submits the following reply comments in the above-captioned proceeding.

In our initial comments, Comsearch supported cost-sharing among both AWS and MSS licensees under the procedures detailed in FCC Rule Part 24. We also supported the establishment of a clearinghouse to administer cost-sharing obligations, and we discussed relocation, cost-sharing, and triggering mechanisms.

Sharing the costs of relocating incumbents among all benefiting licensees is equitable and worked well in 1.9 GHz PCS as indicated in comments filed by PCIA and T-Mobile¹. Our experience in PCS supports these comments, and we strongly

¹ PCIA comments at p. 2, T-Mobile comments at pp. 2 – 4.

urge the Commission to establish a cost-sharing framework for AWS and MSS similar to FCC Rule Part 24.

A key element of the Part 24 cost-sharing rules is the need to administer the cost-sharing plan.² The complexities introduced by two different types of licensees³, by the different deployment scenarios for MSS⁴, and by two different types of incumbents⁵ beg the need for a third-party clearinghouse to maintain databases of relocated links, identify triggers, and administer cost-sharing obligations. Indeed, the complexities of identifying cost-sharing triggers alone merits further discussion.

Table 1 below outlines the various trigger methods that have been proposed for relocation either by the Commission or by commenters.⁶

Table 1: Relocation Trigger Methods

RELOCATOR	INCUMBENT	
	FS Microwave	BRS
AWS	TSB-10F	LOS Relocation Zone
MSS Downlink	TSB-86	n/a
MSS ATC	TSB-10F	n/a

² See 47 CFR §24.241.

³ The two different types of licensees include AWS and MSS.

⁴ MSS systems have two distinct deployment components: the downlink from the satellite and the ground-based Ancillary Terrestrial Component (ATC), which will likely be deployed similar to AWS base stations.

⁵ Incumbents in the 2.1 GHz band include Fixed Service (FS) point-to-point microwave and Broadband Radio Service (BRS) point-to-multipoint licensees.

⁶ See MSS Second R&O, 15 FCC Rcd at 12345-47 at ¶78 and Third R&O and Third MO&O (FCC 03-280) at ¶ 70. In addition, the line-of-sight (LOS) relocation trigger method is being proposed in comments filed by Sprint Nextel at p. 17, WCAI at p. 32, and CTIA at p. 5.

Based upon the relocation trigger methods outlined above, as well as the trigger methods proposed in the rules and in comments, we have developed Table 2 below in an attempt to characterize proposed cost-sharing trigger methods considering the different license entities and different incumbents in the 2.1 GHz band. For example, if an AWS licensee relocates an FS incumbent, the proposed cost-sharing trigger method for an MSS licensee's downlink would be whether it would have interfered with the link using TIA TSB-86 criteria. For the MSS ATC on the same link, the trigger would be the proximity threshold. In addition, it is possible for an MSS licensee to relocate a microwave link that would have been interfered with by another MSS licensee, thereby benefiting the second licensee. We believe Table 2 reflects the full spectrum of triggers necessary to accommodate cost-sharing in the 2.1 GHz band.

Table 2: Cost-sharing Trigger Methods

RELOCATING ENTITY	RELOCATED INCUMBENT	BENEFITTING ENTITY		
		AWS	MSS Downlink	MSS ATC
AWS	FS Microwave	Proximity Threshold ⁷	TSB-86 ⁸	Proximity Threshold ⁹
	BRS	LOS ¹⁰	n/a	n/a
MSS Downlink	FS Microwave	Proximity Threshold ¹¹	TSB-86 ¹²	Proximity Threshold ¹³

⁷ Comsearch comments at pp. 5-6, T-Mobile comments at p. 5, PCIA comments at p. 3.

⁸ MSS Second R&O, 15 FCC Rcd at 12345-47 at ¶97, Comsearch comments at p. 6-7.

⁹ Comsearch comments at p. 7.

¹⁰ The use of an LOS test to trigger cost-sharing for BRS relocation has not been proposed. We suggest it here as a method that merits discussion based upon the comments filed by Sprint Nextel, WCAI, and CTIA *supra*.

¹¹ TMI/TerreStar comments at p. 6 and Comsearch comments at p. 7.

¹² Comsearch comments at pp. 6-7.

¹³ Comsearch comments at p. 7.

MSS ATC	FS Microwave	Proximity Threshold ¹²	TSB-86 ¹³	Proximity Threshold ¹⁴
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In order to properly apportion cost-sharing responsibilities, the clearinghouse will have to maintain complete, technical databases of relocated links.¹⁴ In addition, the clearinghouse must have the software and engineering acumen to interpret and perform the applicable trigger methods. Without a clearinghouse, the reliance on multiple databases, inconsistent interference analyses, and differing conclusions would result in a highly inefficient cost sharing process subject to disputes and would only hinder the relocation process.

Thus, we concur with the comments filed by CTIA (and others) regarding the need for a clearinghouse. CTIA asserts that a clearinghouse is “..essential to an efficient and effective cost-sharing mechanism”.¹⁵ We also agree with CTIA that a clearinghouse should handle cost-sharing responsibilities related to BRS relocation as well.¹⁶

We agree with TMI/TerreStar that participation in a clearinghouse should be voluntary, but only from the standpoint of receiving reimbursement (see FCC Rule 24.249).¹⁷ *All* entities should be required to file site data with the clearinghouse

¹⁴ Indeed, in order to perform the interference analyses prescribed by the trigger methods outlined in Table 2, it will be necessary to have complete path data including antenna types and patterns as well as radio interference parameters.

¹⁵ CTIA comments at pp. 5-6, WCAI comments at pp. 32-36.

¹⁶ CTIA comments at p. 14.

¹⁷ TMI/TerreStar Comments at p. 4.

using the prior coordination notice (PCN) method. We agree with T-Mobile and PCIA that the Commission should implement a blanket rule requiring all site registrants to file data with the clearinghouse, and that carriers should be required to maintain the accuracy of this data.¹⁸ This rule should also apply to all MSS downlink designs and ATC deployments in order to effectively monitor cost sharing obligations due from any later entering MSS systems.

Comsearch would like to note that we are working with CTIA as their technical partner to administer the cost-sharing clearinghouse. Accordingly, we urge the Commission to consider CTIA as a clearinghouse candidate.

Respectfully Submitted,

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¹⁸ T-Mobile comments at p. 6, PCIA comments at p. 5.